

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CLARA DE LEON and ERIC W. MIRSBERGER,	:	
JR., individually and on behalf of all	:	
others similarly situated,	:	25cv644 (DLC)
	:	
Plaintiffs,	:	<u>ORDER</u>
	:	
-v-	:	
	:	
DRAFTKINGS, INC., et al.,	:	
	:	
Defendants.	:	
	:	
-----X		

DENISE COTE, District Judge:

On April 8, 2025, defendants filed a motion to dismiss the complaint pursuant to Rule 12(b)(1) and (b)(6), Fed. R. Civ. P. Under Rule 15(a)(1)(B), Fed. R. Civ. P., a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby

ORDERED that plaintiffs shall file any amended complaint by **May 2, 2025**. It is unlikely that plaintiffs will have a further opportunity to amend.

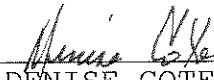
IT IS FURTHER ORDERED that if no amended complaint is filed, plaintiffs shall file any opposition to the motion to dismiss by **May 2, 2025**. Defendants' reply, if any, shall be filed by **May 16**. At the time any reply is filed, the moving party shall supply Chambers with two (2) courtesy copies of all

motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, New York.

IT IS FURTHER ORDERED that, pursuant to Rule 5(B) of the Court's Individual Rules of Practice in Civil Cases, plaintiffs shall file on ECF, by **May 2, 2025**, a letter no longer than two pages explaining the basis for their belief that diversity of citizenship exists.

IT IS FURTHER ORDERED that the initial pretrial conference scheduled for May 2, 2025 is adjourned sine die.

Dated: New York, New York
April 9, 2025



DENISE COTE
United States District Judge